IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.5755 of 2007

THURSDAY, THE TWENTY SIXTH DAY OF APRIL TWO THOUSAND AND SEVEN

Between:

J. Gnaneshwar, S/o. Ramarao, aged about 25 years,
Occ: Student, R/o. H.No.3-12-117/2/E, Ganeshnagar,
Ramanthapur, Hyderabad.

… Petitioner

And

The Registrar, Jawaharlal Nehru Technological
University, Kukatpally, Hyderabad, and others.

… Respondents

Order:

Petitioner, a student of I year B. Tech course in the second respondent-college, has filed this Writ Petition seeking Mandamus to declare the action of the respondents in not extending relaxation, for completing backlogs, on par with the students who were admitted during the academic years 1997-98, 1998-99 and 2001 as illegal and arbitrary and a consequential direction to the respondents to relax the

condition of completing I year B. Tech course in eight consecutive examinations.

2. Petitioner has joined in the aforesaid course in the second respondent-college during the academic year 2000-01. His seat was forfeited by the respondents by proceedings dated 31-05-2005 on the ground that he failed to pass the subjects of first year in eight consecutive examinations from the date of his admission, as per Regulation 7 (ii) of the Regulations of the University. This is the second round of litigation. Earlier, petitioner filed W.P.No.3630 of 2006 challenging the forfeiture of his seat and also the action of the respondents in not passing orders on his representation dated 24-12-2005, which was disposed of by this court by order dated 07-02-2006 directing the respondents to consider the aforesaid representation of the petitioner and pass appropriate orders. It is stated that pursuant thereto, respondents have passed orders dated 03-03-2006 rejecting the request of the petitioner to give a chance to appear for backlog subjects of I year B. Tech as he could not pass all the subjects of I year within the prescribed period.

3. The grievance of the petitioner is that while some students who were admitted to B. Tech course during the academic years 1997-98, 1998-99 and 2001, and who could not complete the course in the prescribed period of eight years, have been permitted to continue the course beyond the said period, he is being denied the said benefit, and the same is discriminatory.

4. The Registrar, Jawaharlal Nehru Technological University, has filed counter affidavit stating that relaxation given to other students, i.e. the students who were admitted to B. Tech course during the academic years referred above, is not applicable to the petitioner as

his seat was forfeited on the ground that he did not complete first year in eight consecutive examinations, as required under Regulation 7 (ii) of the Regulations; hence, it cannot be said that he was discriminated from other students.

5. It is to be seen that as per the Regulations framed by the University, particularly Regulation 7 (ii), a student shall complete all the subjects of I year from three regular consecutive examinations and three supplementary consecutive examinations of I year from the date of his/her admission, failing which his/her seat shall be forfeited. In this case, petitioner's seat was forfeited by the respondents, by proceedings dated 31-05-2005, as he failed to pass the subjects of first year in eight consecutive examinations from the date of his admission. Petitioner stands on a different footing when compared to the students whom he alleges to have been given relaxation by the respondents. His case is totally different. The students who have been given relaxation were those who could not complete the entire course of B. Tech in eight academic years. Hence, it cannot be said that respondents have discriminated the petitioner from others. As the petitioner could not complete the backlogs within the period prescribed in the Regulations framed by the University, he is not entitled for the relief sought for.

6. The Writ Petition is misconceived and is accordingly dismissed. No costs.

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JUSTICE R. SUBHASH REDDY.

April 26, 2007
MRR